

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83196 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- ROH District- Nawada

Santosh Kumar S/o Sarwan Sao R/o Village- Degma, P.S.- Roh, District-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Roh P.S. Case No. 222 of 2024 for the offence punishable under sections 80(2) and 3(5) of B.N.S. 2023 lodged on 24.07.2024 by the informant, Sanjay Sav.

3. As per the prosecution story, the informant alleged that the marriage took place in the year 2023 but always tortured for dowry. On the fateful day, the informant came to know that the door has been closed by the victim lady, upon rushing to the place, the door was broke open and she was found hanging to the ceiling. This led to the FIR. Subsequently, the post-mortem took place and the cause of death has been recorded as asphyxia due to hanging.

4. It is the case of the petitioner that due to minor tiff, she committed suicide, there was no occasion to ask for dowry,



he was present on the spot, got arrested, charge-sheet stands submitted.

5. Learned APP opposes the prayer for bail submitting that within a year of marriage, the death took place and the petitioner cannot exonerate himself from the responsibility.

6. Though the unfortunate death took place within a year of the marriage, the fact remains that the informant came to the place, the door was broke open, the victim was found hanging, the cause of death has already been recorded in the post-mortem, the petitioner has remained in custody since 24.07.2024, as charge-sheet submitted, he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Nawada in connection with Roh P.S. Case No. 222 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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